

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTIAN ARCHAGA-REYES,

Petitioner,

v.

JACK WARNER,

Respondent.

Case No. C24-0231-JHC-SKV

ORDER GRANTING MOTION TO
STAY AND DIRECTING STATUS
UPDATES

Petitioner, proceeding pro se and *in forma pauperis* in this habeas matter pursuant to 28 U.S.C. § 2254, moves to stay these proceedings until such time as he is able to exhaust his state court remedies. Dkt. 6. Respondent does not oppose a stay for the purpose of allowing Petitioner to attempt to exhaust his state court remedies. Dkt. 11. The Court now finds and concludes as follows:

(1) The Motion to Stay and Abey Federal Habeas Proceedings, Dkt. 6, is GRANTED. This action is STAYED pending resolution of Petitioner's state court proceedings.

(2) Within **thirty (30) days** after a state court issues a mandate or certificate of finality in the final state court proceeding addressing a federal ground for habeas relief, Petitioner shall file a motion to lift the stay in this action. The Court will thereafter lift the stay

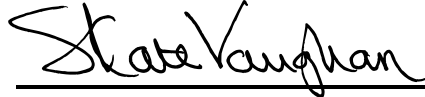
1 and Respondent will file and serve an answer in this matter within **forty-five (45) days** of the
2 dissolution of the stay.

3 (3) Petitioner is directed to file a report every **one hundred and twenty (120) days**
4 informing the Court of the status of Petitioner's state court proceedings. The first status report is
5 due on or before **July 24, 2024**, and shall include the state court cause numbers.

6 (4) Petitioner is advised that failure to file a status report or to inform the Court of the
7 issuance of the above-described mandate or certificate of finality may result in dismissal of his
8 petition in this Court.

9 (5) The Clerk shall send a copy of this Order to the parties and to the Honorable John
10 H. Chun.

11 Dated this 26th day of March, 2024.

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13 _____
14 S. KATE VAUGHAN
United States Magistrate Judge